



2815

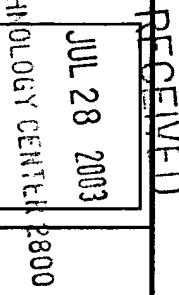
## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

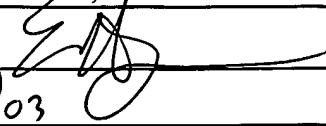
		Application No.	10/067,553
		Filing Date	February 4, 2002
		First Named Inventor	F. Kobayashi
		Group Art Unit	2815
		Examiner Name	Brock II, Paul E.
Total Number of Pages in This Submission	5	Attorney Docket Number	96790P197D2

### ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  <div style="border: 1px solid black; padding: 5px; width: 150px; height: 40px; margin-top: 10px;">return postcard</div>	
			<input type="checkbox"/> After Final
			<input type="checkbox"/> Affidavits/declaration(s)
			<input type="checkbox"/> Extension of Time Request
			<input type="checkbox"/> Express Abandonment Request
			<input type="checkbox"/> Information Disclosure Statement
			<input type="checkbox"/> PTO/SB/08
			<input type="checkbox"/> Certified Copy of Priority Document(s)
			<input type="checkbox"/> Response to Missing Parts/ Incomplete Application
			<input type="checkbox"/> Basic Filing Fee
<input type="checkbox"/> Declaration/POA			
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53			
Remarks			



### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Eric S. Hyman, Reg. No. 30,139  BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	7/21/03

### CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Typed or printed name	Kumiko Alexander		
Signature		Date	7/21/03

Based on PTO/SB/21 (05-03) as modified by Blakely, Sokoloff, Taylor & Zafman (wfr) 05/02/2003.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



JUL 24 2003

# FEET TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27.

**TOTAL AMOUNT OF PAYMENT** **( \$ )**

## Complete if Known

Application Number	10/067,553
Filing Date	February 4, 2002
First Named Inventor	F. Kobayashi
Examiner Name	Brock II, Paul E.
Group/Art Unit	2815
Attorney Docket No.	96790P197D2

## METHOD OF PAYMENT (check one)

Check  Credit card  Money Order  Other  None  
 Deposit Account

Deposit Account Number **02-2666**  
 Deposit Account Name **Blakely, Sokoloff, Taylor & Zafman LLP**

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEET CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1)</b>		<b>( \$ )</b>	

### 2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Extra Claims	Fee from below	Fee Paid
		20	= <b>( \$ )</b>	
		3	= <b>( \$ )</b>	

Large Entity	Small Entity	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 84	2201 42	Independent claims in excess of 3	
1203 280	2203 140	Multiple Dependent claim, if not paid	
1204 84	2204 42	**Reissue independent claims over original patent	
1205 18	2205 9	**Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>		<b>( \$ )</b>	

\*\*or number previously paid, if greater. For Reissues, see below

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
2053 130	2053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920 *	1804 920 *	Requesting publication of SIR prior to Examiner action	
1805 1,840 *	1805 1,840 *	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1404 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	2451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	2460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	1809 375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

**( \$ )**

JUL 28 2003

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SUBMITTED BY		Complete (if applicable)			
Name (Print/Type)	Eric S. Hyman	Registration No. (Attorney/Agent)	30,139	Telephone	(310) 207-3800
Signature				Date	7/21/02



# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27.

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Application Number	10/067,553
Filing Date	February 4, 2002
First Named Inventor	F. Kobayashi
Examiner Name	Brock II, Paul E.
Group/Art Unit	2815
Attorney Docket No.	96790P197D2

## METHOD OF PAYMENT (check one)

Check  Credit card  Money Order  Other  None  
 Deposit Account

Deposit Account Number **02-2666**

Deposit Account Name **Blakely, Sokoloff, Taylor & Zafman LLP**

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.  
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1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
<b>SUBTOTAL (1)</b>			<b>( \$ )</b>		

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		20	= <b>( \$ )</b> X <b>( \$ )</b> = <b>( \$ )</b>	
		3	= <b>( \$ )</b> X <b>( \$ )</b> = <b>( \$ )</b>	

Multiple Dependent

Large Entity	Small Entity	Fee Description	Fee Paid		
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple Dependent claim, if not paid	
1204	84	2204	42	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>			<b>( \$ )</b>		

\*\*or number previously paid, if greater, For Reissues, see below

## FEE CALCULATION (continued)

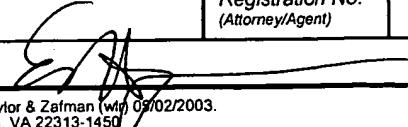
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1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					
* Reduced by Basic Filing Fee Paid			<b>SUBTOTAL (3)</b> <b>( \$ )</b>		

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Complete (if applicable)

Name (Print/Type)	Eric S. Hyman	Registration No. (Attorney/Agent)	30,139	Telephone	(310) 207-3800
Signature				Date	7/21/02



#5  
Election  
8/4/03  
Mallist

Docket No.: 96790.P197d2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Fumihiko Kobayashi et al.

Serial No.: 10/067,553

Filed: February 4, 2002

For: **OPTICAL SEMICONDUCTOR  
DEVICE AND METHOD OF  
FABRICATING THE SAME**

Examiner: BROCK II, PAUL E

Art Unit: 2815

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JUL 28 2003

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RESPONSE TO OFFICE ACTION

Commissioner for Patents  
P.O. Box 1450  
Arlington, VA 22313-1450

Dear Sir:

In response to an Office Action mailed on June 19, 2003, Applicant hereby elects Species I directed to claims 12-16, as described on page 12, lines 9-24.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: 01 7/21/03

By: Eric S. Hyman

Reg. No. 30,139

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450 on 7/21/03

Kumiko Alexander  
Kumiko Alexander

7/21/03  
Date

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, California 90025  
(310) 207-3800